

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ERON ANDERSON,

Petitioner,

v.

SHERIFF, HENDERSON COUNTY,

Respondent.

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Case No. 6:24-cv-74-JDK-JDL

**ORDER ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Petitioner Eron Anderson, proceeding pro se, filed this pre-trial application for the writ of habeas corpus challenging the legality of his then-ongoing prosecution in Henderson County, Texas. The case was referred to United States Magistrate Judge John D. Love in accordance with 28 U.S.C. § 636.

Petitioner signed his complaint on February 15, 2024. Docket No. 1 at 10. Henderson County records, cited by the Magistrate Judge, show that a jury trial was conducted on March 12, 2024, and Petitioner was convicted of aggravated assault with a deadly weapon. Docket No. 5 at 1. On December 4, 2024, the Magistrate Judge issued a Report recommending that the petition be dismissed as moot, since a habeas corpus petition challenging pre-trial detention is rendered moot by the petitioner's conviction. Docket No. 5. Petitioner received a copy of this Report on December 12, 2024, but he has filed no objections, and the time period for filing objections has passed.


This Court reviews the findings and conclusions of the Magistrate Judge de novo only if a party objects within fourteen days of service of the Report and Recommendation. 28 U.S.C. § 636(b)(1). In conducting a de novo review, the Court examines the entire record and makes an independent assessment under the law. *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc), *superseded on other grounds by statute*, 28 U.S.C. § 636(b)(1) (extending the time to file objections from ten to fourteen days). Here, Petitioner did not object in the prescribed period. The Court therefore reviews the Magistrate Judge’s findings for clear error or abuse of discretion and reviews the legal conclusions to determine whether they are contrary to law. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (holding that, if no objections to a Magistrate Judge’s Report are filed, the standard of review is “clearly erroneous, abuse of discretion and contrary to law”).

Having reviewed the Magistrate Judge’s Report and the record in this case, the Court finds no clear error or abuse of discretion and no conclusions contrary to law. Accordingly, the Court hereby **ADOPTS** the Report and Recommendation of the United States Magistrate Judge (Docket No. 5) as the findings of this Court, and this case is **DISMISSED AS MOOT**. The dismissal of this petition shall not prevent Petitioner from challenging his conviction through any lawful means, including but not limited to direct appeal, state habeas corpus proceedings under Tex. Code Crim. Pro. Art. 11.07, or a post-conviction federal habeas petition in the event that he does not obtain the relief he seeks in state court.

A certificate of appealability is **DENIED** sua sponte, with such denial referring solely to an appeal of the decision in this present case and having no effect upon Petitioner's right to seek relief in state court through any lawful means, or to again seek relief in federal court in the event that the state courts do not grant him the relief he seeks.

All pending motions are **DENIED AS MOOT**.

So **ORDERED** and **SIGNED** this **3rd** day of **February, 2025**.

  
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JEREMY D. KERNODLE  
UNITED STATES DISTRICT JUDGE